

EXHIBIT A

CONDITIONS OF APPROVAL OF
CONDITIONAL USE PERMIT APPLICATION U-95-6
208 BACHMAN AVENUE

TO THE SATISFACTION OF THE PLANNING DIRECTOR:

1. The total number of seats both indoors and outdoors may not exceed 125. Maximum number of outside seats shall not exceed 37.
2. Hours of operation may not exceed 11:30 a.m. to 2 a.m.
3. No bar or service bar shall be permitted in the outside dining area; however, a waiters station for employee use is permitted outside, provided it is not used for any alcohol purpose. The waiters station can be used for storing clean and/or dirty dishes and as a nonalcoholic beverage station (e.g., coffee, tea, etc.).
4. Food service shall be available at all times alcoholic beverages are served. Alcoholic beverages may only be served in the outside dining area with a meal. A meal is defined as a combination of meal items selected from a menu (breakfast, brunch, lunch, or dinner). Appetizers such as popcorn, nachos, pretzels, potato skins, relish trays, etc. (hot or cold) are not meals.
5. Outdoor dining is permitted in the patio area fronting Bachman Avenue from 11:30 a.m. to 12 midnight.
6. Outdoor live music is prohibited.
7. A preferential parking system in the Almond Grove area must exist. Should the preferential parking be modified to reduce parking restrictions, this conditional use permit shall be set for public hearing before the Planning Commission for determination of impact on the neighborhood. Notice of such public hearing shall be given to C.B.Hannegan's not less than 30 days after the date of said modification to the preferential parking system. The date of the public hearing shall be held within 60 days of said action.
8. Outdoor activities are prohibited unless expressly permitted under the terms of this Conditional Use Permit.
9. There shall be no amplification of music.

10. Outdoor seating shall be at tables and chairs and not at tall tables.
11. The umbrellas in the outside patio area shall contain no advertising of any business products.
12. The chimney height (of the outdoor patio area fireplace) shall not exceed 11 feet above existing grade. The wall height (around the outdoor patio area) shall not exceed 5.5 feet above existing grade. The partition height (around the outdoor patio area) shall not exceed 4.5 feet above the wall height.
13. The glass panels shall be clear, tempered glass with no etching, decal or other marking or attachment that would constitute a sign as defined in Section 29.10.100 of the Town Code, as it exists on May 6, 1996.
14. The outside dining area (including the waiter station) shall not exceed 550 square feet.
15. The glass panels shall be permanently installed, not openable, and form a continuous physical barrier between the dining area and the public sidewalk.
16. The Planning Director will submit a report for the October 21, 1996, agenda of the Town Council describing any complaints or comments on the conditional use.

TO THE SATISFACTION OF THE POLICE CHIEF:

17. Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owners.
18. At the discretion of the Chief of Police, periodic meetings will be conducted with representatives from the Police Department for on-going employee training on alcoholic beverage service to the general public.
19. This establishment shall use an employee training manual that addresses alcoholic beverage service consistent with the standards of the California Restaurant Association.
20. All licensed operators shall have and shall actively promote a designated driver program such as complimentary non-alcoholic beverages for designated drivers.
21. Taxicab telephone numbers shall be posted at a visible location.

TO THE SATISFACTION OF CENTRAL FIRE PROTECTION DISTRICT:

22. At no time shall anything combustible be placed in the fireplace. No cooking is permitted within the fireplace or in any portion of the outside dining area. Only a natural gas log lighter with permanent gas logs may be installed in the fireplace in the outdoor dining area.

SPECIAL OUTDOOR ACTIVITIES:

22. No more than four (4) times during a calendar year, outdoor activities may be conducted in the outdoor area behind the restaurant, subject to the approval of the Chief of Police.
23. All the requirements of a Special Event must be satisfied if the outdoor activity qualifies as a Special Event as defined in Section 14.100.020 of the Town Code.
24. Approval from the Chief of Police must be obtained at least 10 days prior to an outdoor activity and 60 days prior to an outdoor activity that requires a Special Event Permit.
25. Approved outdoor activities shall cease no later than midnight.
26. Outdoor entertainment is only permitted for approved outdoor activities and must cease no later than 10 p.m.
27. The service of alcoholic beverages for outdoor activities is only permitted with food service.
28. All conditions that apply to the restaurant and bar apply to approved outdoor activities unless specifically excepted under the conditions for "Special Outdoor Activities."